

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

S. KATZMAN PRODUCE, INC.,

Plaintiff,

- against -

ROCKAWAY FARMERS MARKET LLC,
MALLARY C. BENNETT
and STEVE C. DESLANDES,

Defendants.

Case No. 22-cv-3816 (ER)

FINAL DEFAULT JUDGMENT

UPON the motion of plaintiff S. Katzman Produce, Inc. (“Plaintiff”), the declarations of Plaintiff’s counsel, Gregory Brown, Plaintiff’s Controller, Gary Allen, the exhibits annexed thereto, the supporting memorandum submitted therewith and the Clerk’s Certificate of Default, all of which demonstrate that: defendants Rockaway Farmers Market LLC, Mallary C. Bennett and Steve C. Deslandes (collectively, “Defendants”) failed to plead or otherwise defend this action; Defendants, jointly and severally, owe Plaintiff a debt in the principal amount of \$21,798.00, plus accrued interest through August 3, 2022 in the amount of \$3,381.16, and accrued attorneys’ fees and expenses through July 14, 2022 in the amount of \$5,939.50, for a total judgment under the trust provisions of PACA in the amount of \$31,118.66; Defendants are not infants, incompetent persons, or in the military service of the United States; and there is no just reason for delay of entry of final judgment against Defendants, and

UPON this matter having come before this Court on August 3, 2022, for a hearing on this Court’s Order to Show Cause Why Default Judgment Should Not Be Entered, and Defendants having failed to appear and show cause why Plaintiff’s motion for default judgment should be denied, it is hereby

ORDERED that judgment is hereby entered, in favor of Plaintiff and against Defendants, jointly and severally, under the trust provisions of the Perishable Agricultural Commodities Act, 7 U.S.C. § 499e(c)(4) in the principal amount of \$21,798.00, plus accrued interest through August 3, 2022 in the amount of \$3,381.16, and accrued attorneys' fees and expenses through July 14, 2022 in the amount of \$5,939.50, for a total judgment under the trust provisions of PACA in the amount of \$31,118.66; and it is further,

ORDERED that the judgment entered in favor of Plaintiff and against Defendants, jointly and severally, is a final judgment, there being no just cause for delay in light of Plaintiff's statutory right to prompt payment under PACA, and Plaintiff may have immediate execution therefore.

SO ORDERED.

Dated: New York, New York
August 3, 2022

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

Edgardo Ramos, U.S. District Judge